

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CLYDE BENNETT, JR., WILBUR
CHARLES BENNETT,

§
§
§

CIVIL ACTION NO. 2:19-CV-00404-JRG

Plaintiffs,

§
§
§
§
§
§
§
§

v.

STEVEN G. MCCARTER, WALTER E.
PEARCE,

§
§
§
§
§
§
§
§

Defendants.

§

ORDER

Before the Court is Defendant Walter E. Pearce’s Rule 12(b)(6) Motion to Dismiss and Brief in Support Thereof (the “Motion”). (Dkt. No. 7.) In light of Plaintiffs’ subsequent First Amended Complaint (Dkt. No. 8), the Court **DENIES** the Motion **AS MOOT**.

So ORDERED and SIGNED this 22nd day of June, 2020.


RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE